

Application No. 10/701,495  
Response to Office Action dated December 13, 2006

**REMARKS**

Claims 1 and 23 have been amended by deleting the phrase “and/or to persons having expression lines.” These claims have also been amended to require the softening of expression lines to occur on those “in need thereof”: that is, to require the specific intent to soften expression lines. Support for such amendments exists throughout the present specification.

Claims 3 and 12 have been amended by replacing “MECA” with --5'-N-methylcarboxamido-adenosine--, and by replacing “DPMA” with --N<sup>6</sup>-[2-(3,5-dimethoxyphenyl)-2-(2-methylphenyl)-ethyl]adenosine--.

Claims 21 and 22 have been amended by deleting reference to wrinkles.

Claim 16 has been canceled.

Claims 1-6, 8-15 and 17-23 are currently pending.

The Office Action rejected claims 1, 2, 21 and 22 under 35 U.S.C. § 102 as anticipated by U.S. patent 6,423,327 (“Dobson”), claims 1 and 2 under 35 U.S.C. § 102 as anticipated by U.S. patent 3,978,213 (“Lapinet”), and claims 2-6, 9-20 and 23 under 35 U.S.C. § 103 as obvious over Dobson. In view of the following comments, Applicant respectfully requests reconsideration and withdrawal of these rejections.

The pending claims relate to methods of softening expression lines using an adenosine compound. Of particular note, the invention methods require direct application of the adenosine compound to the expression lines with the intent of softening the expression lines. None of the cited art teaches or suggests these unique treatment methods.

Specifically, neither Dobson nor Lapinet teaches or suggests softening expression lines by applying an adenosine compound thereto. Both Dobson and Lapinet teach treating wrinkles or damaged skin caused by sun, age and/or environmental factors such as wind. (See, Dobson at col. 1, lines 28-34 and Lapinet at col. 1, lines 49-56). As explained in the present specification (pages 2-4), the conditions treated by Dobson and Lapinet are different from expression lines: their causes are different and their treatments are different. For example, whereas wrinkles are caused by lack of collagen and can be addressed through collagen protection and/or synthesis, expression lines are caused by different mechanisms and cannot be addressed by increasing or protecting collagen. Thus, although Dobson and Lapinet teach addressing collagen-related conditions such as wrinkles or moisture-related conditions such as dry skin, these references neither teach nor suggest reducing or softening conditions unrelated to collagen or moisturization levels. Because expression lines are not collagen- or moisturization-related, neither Dobson nor Lapinet could possibly teach or suggest anything concerning treatment of this condition.

Exhibits A and B cited by the Examiner in the most recent Office Action cannot compensate for Dobson's and Lapinet's fatal deficiencies. Exhibit A actually supports Applicants' position, stating that expression lines are "different from the lines caused by sun damage or heredity." Exhibit B confirms that expression lines have been "difficult to treat," thereby indicating that typical wrinkle treatments are ineffective and implying that expression lines are different from typical wrinkles.

In sum, neither Dobson nor Lapinet, individually or combination, would lead one skilled in the art to use the claimed adenosine compound with the specific intention of

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softening expression lines. Neither of these references relates to expression lines in any way, shape or form, so it follows that neither of the references teaches or suggests how to treat this condition.

This is particularly true for claim 23 which focuses on application of specific amounts of a specific compound, adenosine, to soften expression lines. Neither Dobson nor Lapinet teaches or suggests anything concerning treatment of this condition, let alone the specific amounts of adenosine required in claim 23.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103.

The Office Action also rejected claims 3, 6, 12 and 15 under 35 U.S.C. § 112 as being indefinite for containing abbreviations (MECA and DPMA). In view of the following comments, Applicant respectfully requests reconsideration and withdrawal of this rejection.

In claims 3 and 12, MECA has been replaced with “5'-N-methylcarboxamido-adenosine” and DPMA has been replaced with “N<sup>6</sup>-[2-(3,5-dimethoxyphenyl)-2-(2-methylphenyl)-ethyl]adenosine.” These compounds and their abbreviations are well-known in the art. (See, for example, the highlighted portions of Tab A which contains excerpts from four articles from the Internet demonstrating that these compounds and abbreviations are well-known).

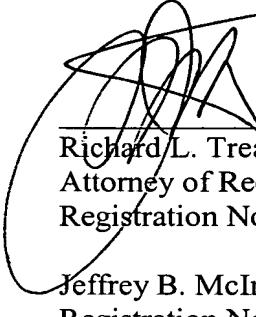
In view of the above, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112.

Applicant believes that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

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Respectfully submitted,

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